

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

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In re:

PROMESA
Title III

THE FINANCIAL OVERSIGHT AND
MANAGEMENT BOARD FOR PUERTO RICO,

as representative of

No. 17 BK 3283-LTS

THE COMMONWEALTH OF PUERTO RICO et al.,

(Jointly Administered)

Debtors.¹
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STANDING ORDER REGARDING PROCEDURES FOR DEFAULT JUDGMENT MOTION PRACTICE

If a party in an Adversary Proceeding in the above-captioned Title III cases moves for and is granted default pursuant to Rule 55(a)² of the Federal Rules of Procedure, any subsequent default judgment motion practice pursuant to Rule 55(b)(2) of the Federal Rules of Civil Procedure against the defaulting party shall be conducted in accordance with the following procedures:

Any motion for default judgment (the “Motion for Default Judgment”) must be accompanied by evidence, in admissible form, of such facts as the movant would have proffered to meet its burden of proof on its direct case had a trial been held in the applicable Adversary Proceeding.

The Motion for Default Judgment must be served on the defaulting party by U.S. mail, overnight delivery, or hand delivery at the defaulting party’s last known address, and must

¹ The Debtors in these Title III Cases, along with each Debtor’s respective Title III case number and the last four (4) digits of each Debtor’s federal tax identification number, as applicable, are the (i) Commonwealth of Puerto Rico (the “Commonwealth”) (Bankruptcy Case No. 17-BK-3283-LTS) (Last Four Digits of Federal Tax ID: 3481); (ii) Puerto Rico Sales Tax Financing Corporation (“COFINA”) (Bankruptcy Case No. 17-BK-3284-LTS) (Last Four Digits of Federal Tax ID: 8474); (iii) Puerto Rico Highways and Transportation Authority (“HTA”) (Bankruptcy Case No. 17-BK-3567-LTS) (Last Four Digits of Federal Tax ID: 3808); (iv) Employees Retirement System of the Government of the Commonwealth of Puerto Rico (“ERS”) (Bankruptcy Case No. 17-BK-3566-LTS) (Last Four Digits of Federal Tax ID: 9686); (v) Puerto Rico Electric Power Authority (“PREPA”) (Bankruptcy Case No. 17-BK-4780-LTS) (Last Four Digits of Federal Tax ID: 3747); and (vi) Puerto Rico Public Buildings Authority (“PBA”) (Bankruptcy Case No. 19-BK-5523-LTS) (Last Four Digits of Federal Tax ID: 3801) (Title III case numbers are listed as Bankruptcy Case numbers due to software limitations).

² Rule 55 of the Federal Rules of Civil Procedure is made applicable in the relevant Adversary Proceedings by Rule 7055 of the Federal Rules of Bankruptcy Procedure and 48 U.S.C. § 2170.

be accompanied by proof of service of the summons and complaint and the Motion for Default Judgment and a copy of the Clerk's Entry of Default.

Unless otherwise ordered by the Court, (i) the deadline to file and serve any objection (the "Objection") with respect to the Motion for Default Judgment shall be fourteen (14) calendar days after the date of filing and service of the Motion for Default Judgment, and (ii) the deadline for the movant to file and serve a reply in support of the Motion for Default Judgment shall be seven (7) calendar days after the deadline for filing and service of the Objection.

The movant must serve a copy of this Standing Order on the defaulting party and file proof of such service within twenty-eight (28) days after the Clerk's Entry of Default. Any Motion for Default Judgment must be served within sixty (60) days after the Clerk's Entry of Default.

SO ORDERED.

Dated: June 12, 2020

/s/ Laura Taylor Swain
LAURA TAYLOR SWAIN
United States District Judge